

MUTINY SPREADS.

Continued from first page.

Black Sea fleet. The dispatch adds that the Governor of Odessa is master of the situation.

MORE WORKMEN KILLED.

Troops Fire Volleys Into Procession at Brest.

Warsaw, July 1.—Twelve workmen were killed and thirteen wounded by troops at Brest, in the government of Petrof, on Friday night. The workmen were marching in procession and carrying red flags, when they were stopped by a force of infantrymen, who fired volleys into the crowd and dispersed it. Eight thousand cotton mill employees at Zewerde, in the government of Petrof, have gone on strike.

COURT MARTIAL AT LODZ.

Three Rioters Sentenced to Death—Many Wounded Die.

Lodz, July 1.—A court martial to-day condemned to death three workmen convicted of taking part in the riots of last week. Sixty-nine persons who were wounded in these disturbances have died in the hospitals here during the week.

CASUALTIES AT LIBAU.

Three Killed and Six Wounded, According to Officials.

Libau, July 1.—A hundred mutineers who refused to surrender with their comrades escaped to the forests, where they are still at large. The party at 10 o'clock last night attacked and robbed an old man in the suburbs. In the mutiny three men were killed and six were wounded.

All is quiet at the commercial port, which is a short distance from the war port. The reports that navigation is interrupted here are untrue.

TERROR AT BORISOFF.

Bomb Thrown at Police—Disorders Continue—Troops Needed.

Borisoff, July 1.—There are continuous disorders in the city and adjacent country districts, and scarcely a night passes without shooting affrays. A bomb was thrown on Friday night at four policemen, who are said to be on the Terrorist death list. The services of the military are needed.

OFFICER BURNED ALIVE.

Mob at Kursk Takes Revenge for Assault on a Soldier.

Kursk, July 1.—An officer was burned to death in a railway car here by a mob last night, after a short, sharp conflict. The officer, on arriving here from Kiev, ordered the arrest of a soldier. The man was impudent and the officer drew his sword and cut him down. A crowd drove the officer into a railway car from which he defended himself with his revolver. The mob saturated the car with petroleum, set fire to it, and the officer perished. The rioters were dispersed by dragoons.

GENERAL SAKHAROFF RETIRES.

Emperor Accepts Resignation of the Minister of War.

St. Petersburg, July 1.—Emperor Nicholas has accepted the resignation of the Minister of War General Sakharoff, which was tendered to-day.

General Sakharoff was formerly chief of the Russian military staff. He succeeded General Kurapatkin as Acting Minister of War in September, 1904, and in March, 1905, was appointed Minister of War. He was born in 1858, was formerly chief of staff of the Warsaw division, and afterward held a similar position at Odessa.

REORGANIZING CHINA'S ARMY.

Large Grants Made—The Japanese System Started in Shan-Tung.

Berlin, July 1.—The weekly army service paper reprints from the "Ostasiatischer Lloyd" a report that the reorganization of the Chinese army in the Shan-Tung Peninsula began in May under Chinese officers educated in Japan. One Austrian and one German officer were engaged for teachers at the military school at Sian-Pu, without having any direct control over the soldiers. The Imperial Chinese commission reorganizing the Shan-Tung army has received grants of over \$7,000,000 for that purpose.

M. MURAVIEFF REPORTED CHOSEN.

Ambassador at Rome to Head Russian Peace Delegation.

St. Petersburg, July 1.—M. Muravieff, Russian Ambassador at Rome and former Minister of Justice, will be chief of the Russian delegation at the peace conference in August. His name has been forwarded to Washington as plenipotentiary, but no further Russian representatives will be named until the number of the Japanese commissioners is ascertained.

STILL A DEADLOCK IN HUNGARY.

Baron Fejervary Unable to Make Terms with the Opposition.

Budapest, July 1.—A conference of political leaders at the residence of Premier Fejervary to-day failed to reach a settlement of the Cabinet crisis. M. Fejervary, it is said, offered no fresh concessions regarding the army, and the Opposition leaders declared that his proposals furnished no basis upon which they could attempt to form a Cabinet from the ranks of the majority.

POLICE FIND BOMB MANUFACTORY.

St. Petersburg, July 1.—The police have discovered eight finished and twenty-two half finished bombs and fifty cartridges of explosives in a house owned by a government employee in the village of Velra, near Tsarskoe-Selo.

BRITISH STEAMER A TOTAL LOSS.

Valparaiso, July 1.—The British steamer Tropic, from New-York, which went ashore fifteen miles north of Constitution, is embedded in the sand and is considered a total loss.

TRANSFER CHURCH HEADQUARTERS.

Russian Orthodox Sect Will Move from San Francisco to New-York.

The headquarters of the Russian Orthodox Church are to be moved on September 1 from San Francisco to New-York. Bishop Tikhon, who has charge of the whole Russian Church in America, with the exception of Alaska, will take up his residence at the Russian church at No. 15 East 95th st. This church will be made a cathedral. He will be assisted by Father Pappas, Father Greysky and Deacon Delazas, in addition to the resident rector, the Rev. Alexander A. Hotovitsky.

TOMPKINS PARK GAMES.

Fine Sport Marks Opening of New East Side Athletic Field.

The twelve lap cinder track in Tompkins Park, at 104th-st. and Avenue A, was opened yesterday, with track races and a basketball game. Fully ten thousand persons attended the opening. It was expected that Charles V. Fornes, president of the Board of Aldermen, who is Acting Mayor, would attend, but he failed to appear. John J. Pallas, president of the Park Board, attended. More than three hundred boys took part in the contests.

Besides the special medals that were awarded to the first, second and third, in each contest, a souvenir bronze medal was presented by Commissioner Pallas to every boy who competed in the meet. The park presented a picturesque sight. Inside the cinder track were gymnastic apparatus and outside a band furnished music. It was announced that in Thomas Jefferson Park, where a similar athletic field will be opened for schoolboys in the fall, a six lap track will also be built for girls.

There were races for public school boys, parochial school boys and high school boys. The honors went to Public School No. 40. George Ottlinger, of this school, who weighs only sixty pounds, made a fine showing. In the 25-yard dash, he won easily, and showed evidence of becoming a fast sprinter. In the 100-yard dash he was beaten for first place by Edward Denroche.

The one mile interpark relay race, for seniors, resulted in a fine contest, and was won by the representatives of Hamilton Fish Park by five yards. The boys from John Jay Park were second. John Joyce, the district champion of the Amateur Athletic Union, and Harvey Cohn were on the programme to run a one mile exhibition race, but it was announced that the men could not obtain a sanction from the Amateur Athletic Union in time to permit them to take part. The one-half mile interpark relay race, for juniors, went to the boys from Tompkins Park. The Seward Park team was second.

Joseph Martocchio, of De Witt High School, came in first in the 40-yard run. Fred Kucher, of the College of the City of New-York, was second. The interpark basketball contest was hotly contested. At the end of the first half the Seward Park boys led by a score of 7 to 2. In the second half the Hamilton Park boys played a much improved game, but the contest ended 8 to 7 in favor of the Seward Park team.

One-hundred-yard dash (for parochial schools, junior)—Won by B. Reedy, St. Ann's School; J. McDougal, St. Brigid's School; second, J. Brennan, Epiphany School; third, J. P. Sullivan, St. Ann's School; time, 1:30.

One-hundred and twenty-yard dash (for public school boys, senior)—Won by C. P. Sullivan, Public School No. 40; second, J. Hirschhorn, Public School No. 25; third, time, 0:27.

One-hundred and twenty-yard dash (for public school boys, junior)—Won by J. Hirschhorn, Public School No. 40; second, J. Hirschhorn, Public School No. 25; third, time, 0:27.

Four-hundred and forty-yard dash (for high schools)—Won by Joseph Martocchio, De Witt High School; second, A. Altman, College of the City of New-York; third, A. Altman, College of the City of New-York; time, 1:30.

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FINISH OF ONE OF THE SPRINT RACES AT THE OPENING OF THE TOMPKINS PARK INDOOR TRACK YESTERDAY.

BEEF MEN INDICTED.

Continued from first page.

ties was to be curtailed and restricted whenever necessary to maintain the prices so fixed.

Fourth—The United States was divided up into territories among the defendants, and each company was to keep its own territory without interference by the others.

Fifth—There was a division as to the volume of trade allowed to each defendant in a given market. If one packer sold more than his percentage during a given week he was obliged to pay an "ante" of so much a hundredweight, according to the territory in which the matter occurred, into a pool to cover the excess of sales, and this fund was divided among the packers who fell short in their sales.

Sixth—Certain corporations, namely, the Zina Trading Company and the Oppenheimer Manufacturing Company, were to be appointed exclusive agents of the defendants to handle sausage casings and containers, and those companies were to make arrangements with the several concerns which had been handling such merchandise in the markets of the world for working in harmony and controlling the output and price of the merchandise. This scheme involved the destruction, or "tankings" of large quantities of casings whenever the supply was too great. The Kenwood Company, another corporation, was to handle oleo oils and products on substantially the same lines, excepting that there was to be no destruction of these commodities. These agents of the packers were also to make contracts with small packing concerns throughout the country for taking their output of casings, and these casings were either to be destroyed or handled in connection with the goods of the packers.

The fourth count charges that the same dealings mentioned in the third count as being in restraint of trade and commerce constituted an offense on the part of the packers to monopolize such trade and commerce.

The fifth count specifically covers the handling of the by-products, casings and containers, also stocks, stearine and oils, and describes a conspiracy in restraint of trade, to be effective in the same way as set forth in the third count, with reference to all of the products mentioned.

The sixth count charges the casings conspiracy to be an attempt to monopolize trade and commerce in that commodity in the United States and in foreign countries.

The seventh count sets forth particulars concerning the organization of the National Packing Company, and charges that the object and the effect of that organization were to destroy competition, not only among the packers who were interested in the National Packing Company, but among the ten smaller packing companies which were consolidated by the device of organizing the National Packing Company; and this is described as a conspiracy in restraint of trade and commerce.

The eighth count makes out the organization of the National Packing Company to be an attempt to monopolize the same trade and commerce.

CHARGED WITH CONSPIRACY.

The indictment against Messrs. Well, Cusey, Todd and Skipworth, of Schwarzschild & Sulzberger, charges that on February 3, 1905, the four men conspired, with others, to the jury unknown, to commit an offense against the United States by soliciting and accepting for the Michigan Central Railroad Company, the Chicago, Rock Island and Pacific, the Grand Trunk, the Lehigh Valley, the Boston and Maine and the Mobile and Ohio railroad companies, large sums of money, as rebates of the money paid and to be paid by Schwarzschild & Sulzberger for the transportation of goods.

A specific case was mentioned against Cusey, as having occurred on January 22, 1904, when, it is said, he presented to the Michigan Central Railroad a claim for rebates in favor of Schwarzschild & Sulzberger, which claim was numbered 10,519 by the packing company and P107,250 by the Michigan Central, amounting to \$2,976.80. A number of other cases, similar in character, were mentioned against Cusey and the other three men. Appended to the indictment was a copy of a letter alleged to have been written May 19, 1904, by Cusey to Mr. Birchett, assistant general freight agent of the Mobile and Ohio, in which he declared that such business as Schwarzschild & Sulzberger had been giving the railroad had been diverted until the company should receive more consideration from the railroad.

O. H. Pagin, assistant attorney general, said in explanation of the indictment:

The indictments are based on the act of Congress approved July 2, 1890, popularly known as the Sherman Anti-Trust law. The first section of this act makes it an offense for any person or corporation to engage in any combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States, or with foreign nations. Section 2 makes it an offense to monopolize or attempt to monopolize any part of such trade or commerce, the penalty under each section in case of conviction is a fine, not exceeding \$5,000, or imprisonment not exceeding one year, or both, in the discretion of the court.

Of course, a corporation could not be imprisoned, and in this direction the punishment by fine is all that can apply. In all other respects corporations, which are artificial persons, stand in the same attitude as individuals under this law.

"The question as to what constitutes a trust is not thoroughly settled. Some authorities include in the definition of a trust the idea of placing stocks of different corporations in the hands of another corporation, to be held in trust and managed without the interference of the separate corporations which are thus put in combination.

"If this is the correct definition of a trust, the indictment in this case does not charge the defendants with having formed a trust, there being no allegation that the stocks of the large packing companies are held in trust for the purpose of management.

"It is true that the stock of ten smaller packing concerns, previously running in opposition

to the big packers, was bought up by individuals connected with the big packing corporations and placed with another corporation organized for the purpose of holding these stocks—the National Packing Company—but this indictment makes no direct charge against the National Packing Company or any of its officers, except such as were officers of the big packing companies.

"It is to be observed that when the stocks of the smaller companies were purchased, not merely the controlling interests of each of the smaller companies was acquired, but all the stock was bought up, so that the purchasers were in a position to wipe out of existence the companies so purchased. On this point the National Packing Company differed from the Northern Securities case, lately decided by the Supreme Court of the United States. In the latter case only the controlling interests of the railroads concerned were bought up and put in the hands of a third corporation for management."

INDICTED MEN WILL SURRENDER.

As soon as the indictments had been handed into court District Attorney Morrison suggested that each of the defendants be placed under bonds of \$5,000, and when the court asked if bench warrants were to be served he was informed by the District Attorney that the legal advisers for all of the men included in the indictments had agreed to produce the men on Monday, or as soon as possible after July 4.

Some of the defendants are not in Chicago and cannot come into court immediately. Judge Betha acquiesced in this arrangement and then addressed the jury, saying:

It is not proper for me to comment upon the result of your work, inasmuch as I was partly instrumental in bringing about the investigation you have conducted. I congratulate you upon the work you have done. For three months you have labored conscientiously, probably have broken a record for a like inquiry. You have not been influenced by prejudice nor position, nor by any individual. You have been influenced only by a desire to do your duty. There were twenty-two of you at the start, and there are twenty-two of you at the finish. You have worked at the sacrifice of your business in the interests of the public. If more citizens were actuated by the same public spirit there would be less need for the enforcement of laws.

The first one of the indicted men to offer bonds was B. S. Cusey, indicted for rebating with the railroads. He appeared in court about one hour after the indictments had been returned, and gave a bond of \$5,000 for his appearance when wanted. The cases against the defendants will not be tried until fall.

John S. Miller, of counsel for the packing firms, gave out the following statement as soon as he learned of the indictments:

I ask for the packers who have been indicted the withholding of judgment until their side of this matter can be properly presented. I think the investigation on which these indictments are based was instituted and carried on with the previous conviction that the accused were guilty, and that the thing to accomplish was to get the evidence. The packers have been held in prejudice and condemned by being called a Beef Trust, by continued and repeated charges, without proof, and by gross falsehood and misrepresentation. The Garfield report accurately stated the facts in respect to the packing business, but its results, which were truthful and accurate, did not agree with the exaggerated and false charges that have been made. The Sherman act was intended to protect the public from the law in the best of faith, and in my opinion they have done so.

CAR WRECKS "AUTO."

Owner and Driver Jump for Their Lives.

An automobile belonging to D. T. Bradley, of 72d-st. and Riverside Drive, was struck by an eastbound trolley car about 6 o'clock last night, at Lexington-ave. and 23d-st., and completely wrecked. In the "auto" at the time was Mr. Bradley, who was on his way home from his place of business, No. 74 Broadway, and Samuel Erickson, his chauffeur.

The machine was coming north on Lexington-ave. and was about to cross 23d-st., when the car came rapidly from the west. William Pizzaro, the motorman, made violent efforts to stop the car, which was laden with workers on their way home, but the impetus was too great, and the two came together with a crash.

The automobile was overturned and thrown a score of feet, the body being splintered, the axles bent and the wheels broken. Mr. Bradley and his chauffeur saw that the accident was inevitable, and both jumped from the machine just in time. The dashboard of the car was bent, and almost every window broken by the impact, which threw the passengers